

01  
02  
03  
04  
05  
06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09         CHARLES RONALD MCKINNEY,                   )  
10    )   CASE NO. C10-1863-RSM  
11             Petitioner,                                )  
12             v.    )  
13         PATRICK GLEBE,                                )  
14    )   ORDER DENYING PETITIONER'S  
15    )   HABEAS PETITION WITH  
16    )   PREJUDICE  
17    )  
18    )  
19    )  
20    )  
21    )  
22    )

---

14         The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's  
15 answer thereto, the Report and Recommendation of Mary Alice Theiler, United States  
16 Magistrate Judge, and the remaining record, does hereby find and Order:

- 17             (1)   The Court adopts the Report and Recommendation;  
18             (2)   Petitioner's habeas petition and this action are DISMISSED, with prejudice;  
19             (3)   Petitioner's motion to withdraw (Dkt. 11) is DENIED;  
20             (4)   Petitioner is DENIED issuance of a certificate of appealability, and  
21             (5)   The Clerk is directed to send copies of this Order to petitioner, to counsel for  
22    respondent, and to Judge Theiler.

01 DATED this 18 day of April 2011.  
02  
03  
04  
05  
06  
07  
08  
09  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

  
RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE